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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TAD GNATOWSKI,

Plaintiff,

vs.

SUMMIT MANAGEMENT CO. LLC, *et al.*,

Defendant(s).

Case No.: 13-CV-5318 YGR


ORDER OF DISMISSAL FOR FAILURE TO
PROSECUTE

On December 27, 2013, the Court issued an Order regarding Plaintiff's Failure to File an Opposition to Defendants' Pending Motions. (Dkt. No. 29.) The pending motions were Defendants' Motion to Dismiss and Motion for Judgment on the Pleadings, the deadlines for which were originally December 9 and December 23, respectively. Civ. L.R. 7-3(a). This Court's December 27 Order allowed Plaintiff until January 13, 2014 to file his oppositions to the pending motions. Plaintiff was warned that failure to file oppositions to the Motions by that date would result in dismissal of this action for failure to prosecute. Plaintiff did not file any opposition.

Accordingly, pursuant to Federal Rule of Civil Procedure 41, this action is **DISMISSED WITHOUT PREJUDICE** for failure to prosecute.

IT IS SO ORDERED.

January 23, 2014


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE